

1 William Bradshaw, D-73217
2 P.O. BOX- 689, G-325
3 Soledad, CA 93960-0689
4 Petitioner In Pro Per
5

FILED

2008 JUN 10 P 3 02
RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CALIFORNIA
S. S.

6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

11 WILLIAM BRADSHAW,

12 Petitioner,

13 v.

15 B. CURRY, Warden,

16 Respondent.

C 08-1787 JF

OPPOSITION TO RESPONDENT'S
REQUEST FOR STAY PENDING
ISSUANCE OF THE MANDATE
IN HAYWARD

Judge: The Honorable
Jeremy Fogel

20 The Petitioner brings before this Honorable Court an opposition
21 to Respondent's Request For Stay Pending Issuance of the Mandate
22 in Hayward.

24 Petitioner has a Federally Protected Liberty Interest in Parole.
25 This liberty interest was determined in Greenholtz v. Nebraska
26 (1979) 442 U.S. 1, 7, 11-12, 60 L.Ed.2d 668, 99 S.Ct. 2100;
27 McQuillion v. Duncan (2002) 306 F.3d 895, 902; Biggs v. Terhune
28 (9th Cir. 2003) 334 F.3d 910, 913-914;

1
2 Sass v. California Board of Prison Terms (9th Cir. 2006) 461 F.3d
3 1123, 1128; and Iron v. Carey (9th Cir. 2007) 505 F.3d 846, 850-
4 851, en banc denied at 506 F.3d 951.

5
6 This court has jurisdiction over this case. Based on current law,
7 this case should be allowed to proceed through answer and traver-
8 se. The en banc decision in Hayward will have no affect on this
9 court's jurisdiction over this case. However; should the Hayward
10 en banc decision change the ruling in any significant way, this
11 Court can at that time order additional briefing on point.

12
13 The Petitioner therefore requests that the Court deny Respondents
14 request to Stay This Matter Pending Issuance of the Mandate in
15 Hayward.

16
17 Dated: June 7, 2008

18
19 Respectfully submitted

20 
21 William Bradshaw

22 In Pro Per

PROOF OF SERVICE BY MAIL

(C.C.P. §§1013A, 2015.5)

STATE OF CALIFORNIA)

) SS.

COUNTY OF MONTEREY)

RE: BRADSHAW v CURRY CASE NO. C 08-1787 JF

I, WILLIAM BRADSHAW, D-73217, am a resident of the State of California, County of Monterey. I am over the age of 18 years, and I am a party to the within action. My business/residence address is the Correctional Training Facility, P.O. Box 689, Soledad, CA 93960-0689.

On 8th day of June 2008, I served the following:

OPPOSITION TO RESPONDENT'S REQUEST FOR STAY PENDING ISSUANCE OF THE
MANDATE IN HAYWARD

on the parties listed below by placing a true copy thereof enclosed in a sealed envelope with postage fully prepaid in the United States Mail in the institution's United States mailbox at the Correctional Training Facility, Soledad, California , addressed as follows:

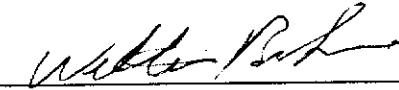
AMANDA J. MURRAY
Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004

Attorneys for Respondent

There is a regular service by the United States Postal Service between the place of mailing and the places so addressed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 8th day of JUNE, 2008, at Soledad, California.

/S/ 

WILLIAM BRADSHAW in Pro Se

William Gradiash

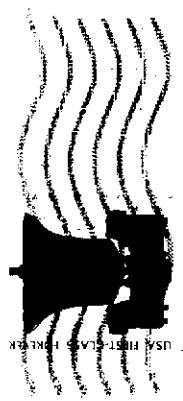
7527 NW 125th

Boise 83704

CA 95006-6839

SAN JOSE CA 951

05 JUN 2008 PM 4 L



Plaintiff
California

United States District Court

Northern District of California

280 South First St., Room 2112

SAN JOSE, CA

95113-3095

LGA/MR/J

35112-3000 2000